S.B. CIVIL WRIT PETITION NO.120/1994.

ACHLESWAR PRASAD & ANR. VS. STATE OF RAJASTHAN & ORS.

DATE OF ORDER : 03.07.2007.

HON'BLE MR. GOVIND MATHUR, J.

None present for the petitioner.
Mr. B.L. Tiwari, Dy.GA, for the respondents.

In the year 1986 at the request of the Chief Engineer, Department of Irrigation, Rajasthan, Jaipur, the Directorate of Employment sponsored and recommended name of certain persons including the petitioner to undergo training relating to the post of Patwari in the Department of Irrigation. The petitioner acquired three months' training and also faced an interview for the purpose of recruitment to the post referred above.

The allegation of the petitioner that the respondents instead of giving him appointment by an order dated 24.09.1991 decided to absorb certain surplus employees of the Department of Irrigation as Patwari. While challenging the act of the respondents as referred above, an appropriate writ, order or direction is sought by the petitioner to appoint him as Patwari.

I have gone through the entire case and found that the appointments on the post concerned were admittedly made in the year 1991. The petitioner at the first instance approached respondents by way of submitting a notice for demand of justice through his counsel on 02.12.1993 i.e. after the lapse of about 3 years from the date of impugned action, thus the petition for writ suffers from an unexplained inordinate delay. Beside that the petitioner has also not impleaded as party respondents to the proceedings to the persons to whom appointments were given

I am is also of the view that the selections those are subject matter of this petition for writ took place much back in the year 1990 and now after lapse of about 17 years, it shall not be appropriate to interfere with the appointments already made. In view of it, no relief as claimed by the petitioner can be given by this Court under Article 226 of the Constitution of India, accordingly, this petition for writ is dismissed.

(GOVIND MATHUR)J.

Anil/